

ZB# 04-37

Robert Compasso, Jr.

36-1-29

ZBA #04-37 ROBERT COMPASSO, JR.
(AREA) 362 RILEY RD. (36-1-29)

ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR
555 UNION AVENUE
NEW WINDSOR, N.Y. 12553
Granted 6-28-04

Robt. Compass 567-0521

**OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEWYORK**

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

DATE: April 27, 2004

**APPLICANT: Robert & Michele Compasso, Jr.
362 Riley Road
New Windsor, NY 12553**

COPY

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: April 23, 2004

FOR : Robert & Michele Compasso, Jr

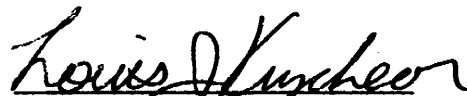
LOCATED AT: 362 Riley Road

ZONE: R-3 Sec/Blk/ Lot: 36-1-29

DESCRIPTION OF EXISTING SITE: Single Family with proposed 6' x 28' covered front porch

IS DISAPPROVED ON THE FOLLOWING GROUNDS: 48-12 use/bulk table R-3 zone column 7E

1. Required front yard set back is 35' proposed porch will be 29.7' from the front property line. A variance of 5.3' is required.


BUILDING INSPECTOR

PERMITTED

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: **R-3** USE: **6' x 28' covered porch**

MIN LOT AREA:

MIN LOT WIDTH:

REQ'D FRONT YD:

35'

29.7'

5.3'

REQ'D SIDE YD:

REQ'D TOTAL SIDE TD:

REQ'D REAR YD:

REQ'D FRONTAGE:

MAX BLDG HT:

FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

cc: Z.B.A., APPLICANT, FILE, W/ ATTACHED MAP

04-37

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS
IMPORTANT
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

RECEIVED

APR 23 2004

BUILDING DEPARTMENT

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and underslab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and percolation test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and there is no fee for this.

FOR OFFICE USE ONLY:
Building Permit #: 2004-557

**AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS
REQUIRED BEFORE THE BUILDING PERMIT APPLICATION WILL BE ACCEPTED AND/OR ISSUED**

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises ROBERT + MICHELE COMPASSO

Address 362 RILEY RD NEW WINDSOR NY Phone # JB 7-0521

Mailing Address Same Fax # _____

Name of Architect _____

Address _____ Phone _____

Name of Contractor _____

Address _____ Phone _____

State whether applicant is owner, lessee, agent, architect, engineer or builder OWNER

If applicant is a corporation, signature of duly authorized officer _____
(Name and title of corporate officer)

1. On what street is property located? On the EAST side of RILEY RD
(N, E or W)
and 150 feet from the intersection of HILLINGTON RD.
2. Zone or use district in which premises are situated Residential Is property a flood zone? Y _____ N ☒
3. Tax Map Description: Section 36 Block 1 Lot 29
4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.
- a. Existing use and occupancy SINGLE FAMILY occupied b. Intended use and occupancy Same
5. Nature of work (check if applicable) ☐ New Bldg. ☐ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☒ Other
6. Is this a corner lot? NO
7. Dimensions of entire new construction. Front 27' Rear _____ Depth 6' Height _____ No. of stories _____
8. If dwelling, number of dwelling units: 1 Number of dwelling units on each floor _____
- Number of bedrooms 4 Baths 3 Toilets 3 Heating Plant: Gas _____ Oil ☒
Electric/Hot Air _____ Hot Water _____ If Garage, number of cars _____
9. If business, commercial or mixed occupancy, specify nature and extent of each type of use _____

10. Estimated cost \$ 4,000 Fee \$ 50.00

ZONING BOARD

____/____/____
date

APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
Pursuant to New York State Building Code and Town Ordinances


Building Inspector: Michael L. Babcock
Asst. Inspectors: Frank Liel & Louis Kryshear
New Windsor Town Hall
555 Union Avenue
New Windsor, New York 12553
(845) 563-4818
(845) 563-4895 FAX

Bldg Insp Examined _____
Fire Insp Examined _____
Approved _____
Disapproved _____
Permit No. _____

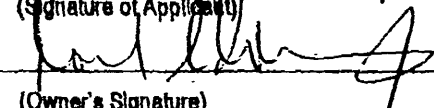
INSTRUCTIONS

- A. This application must be completely filled in by typewriter or in ink and submitted to the Building Inspector.
- B. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- D. The work covered by this application may not be commenced before the issuance of a Building Permit.
- E. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- F. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

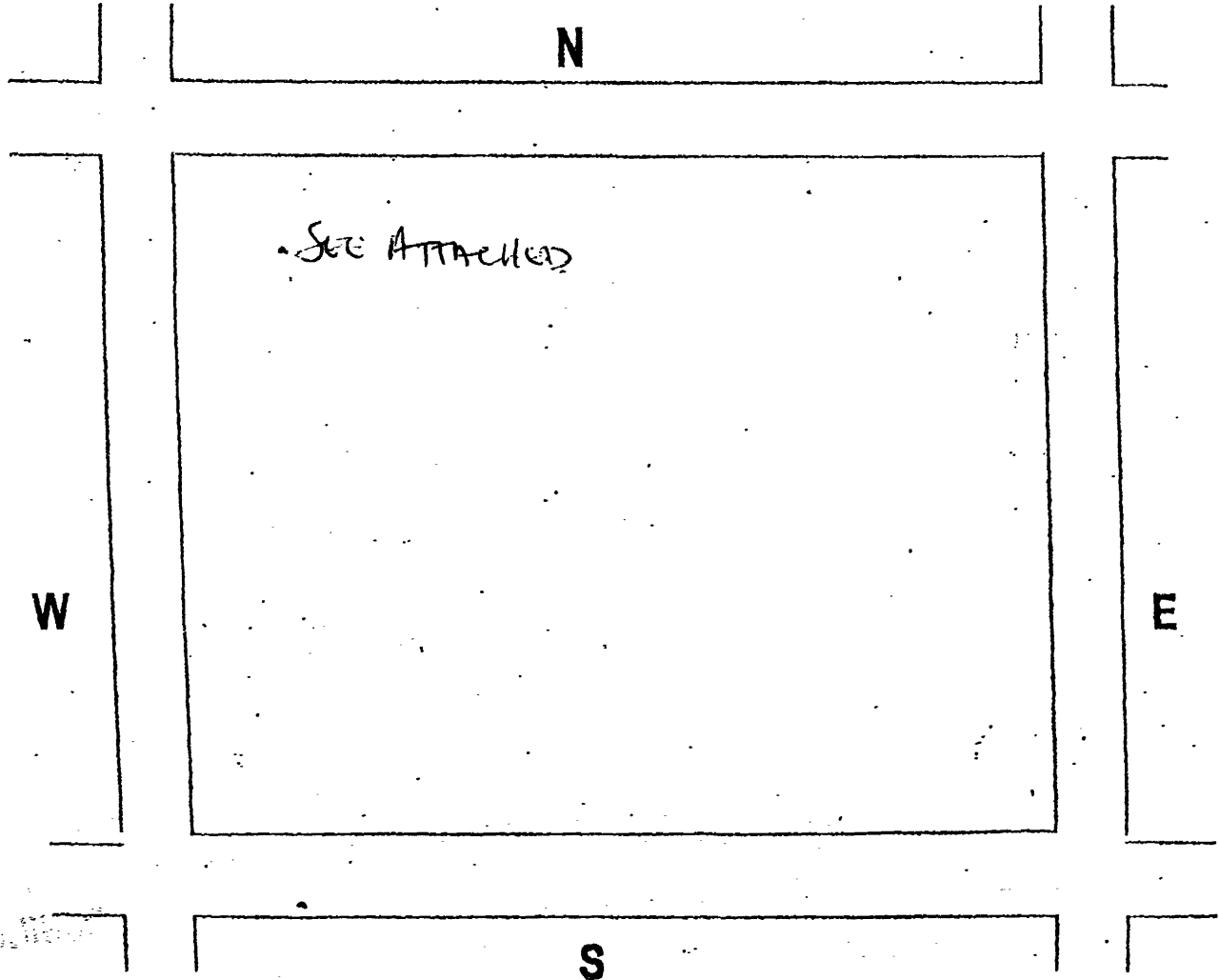

(Signature of Applicant)

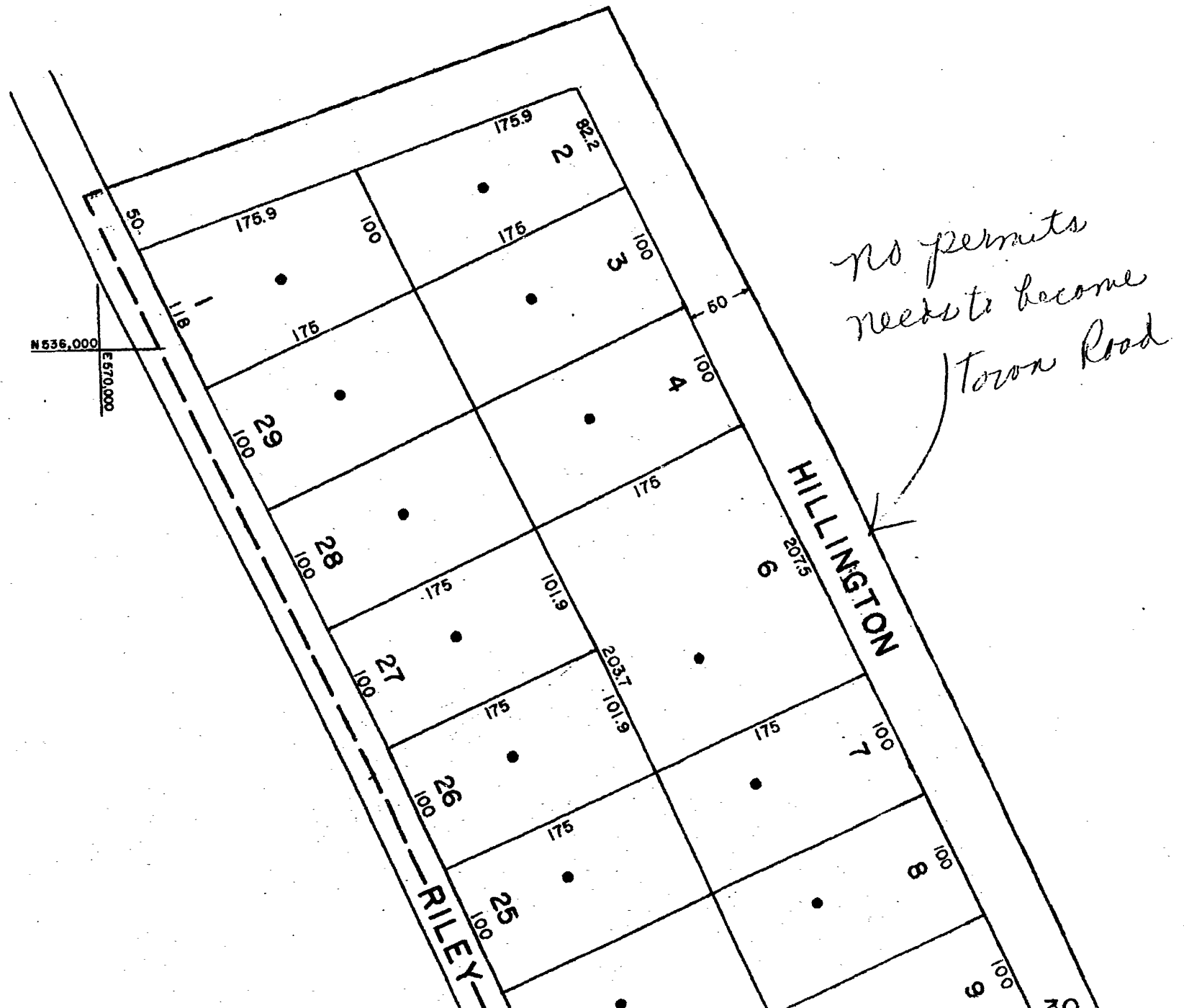
363 Rickey RD New Windsor NY
(Address of Applicant)


(Owner's Signature)

PLOT PLAN

NOTE: Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.











Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4695

OFFICE OF THE ZONING BOARD OF APPEALS

September 21, 2004

Robert Compasso Jr.
362 Riley Road
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #04-37

Dear Mr. Compasso:

Please find enclosed two copies of the Formal Decision for your case before the Zoning Board of Appeals. Please keep these copies in your records for future reference if needed.

If you are in need of any further assistance or have any questions in this matter, please feel free to contact me at the above number.

Very truly yours,

Myra Mason, Secretary to the
NEW WINDSOR ZONING BOARD

MLM:mlm

cc: Michael Babcock, Building Inspector

NEW WINDSOR ZONING BOARD OF APPEALS

SBL: 36-1-29

In the Matter of the Application of

MEMORANDUM OF
DECISION GRANTING

ROBERT COMPASSO, JR.

AREA

CASE #04-37

WHEREAS, Robert Compasso, Jr. , owner(s) of 362 Riley Road, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an Request for 5.3 ft. Front Yard Setback (48-12 bulk table R-3, column 7E) for proposed covered front porch at 362 Riley Road in an R-3 Zone (36-1-29)

WHEREAS, a public hearing was held on June 28, 2004 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the Applicant appeared on behalf of this Application; and

WHEREAS, there were no spectators appearing at the public hearing; and

WHEREAS, no one spoke in favor of or in opposition to the Application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.
2. The Evidence presented by the Applicant showed that:
 - (a) The property is a residential property located in a neighborhood of residential properties.
 - (b) The applicant seeks to remove an existing deck and replace it with a covered porch.
 - (c) In constructing the covered porch, no trees or substantial vegetation will be removed.

- (d) The construction of the porch will not cause the ponding or collection of water or divert the flow of water drainage.
- (e) The house will not appear to be any closer to the adjacent roadway than other homes in the neighborhood.
- (f) The addition will not be constructed on top of, nor will it interfere with, any easements including, but not limited to, water, sewer and utilities.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variance(s) will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
2. There is no other feasible method available to the Applicant that can produce the benefits sought.
3. The variance(s) requested is/are substantial in relation to the Town regulations but, nevertheless, are warranted.
4. The requested variance(s) will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
5. The difficulty the Applicant faces in conforming to the bulk regulations is/are self-created but, nevertheless, should be allowed.
6. The benefit to the Applicant, if the requested variance(s) is/are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.
7. The requested variance(s) are/is appropriate and are/is the minimum variance(s) necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.
8. The interests of justice will be served by allowing the granting of the requested area variance(s).

NOW, THEREFORE, BE IT

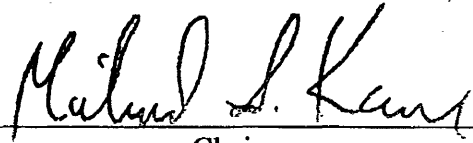
RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a 5.3 ft. Front Yard Setback (48-12 bulk table R-3, column 7E) for proposed covered front porch at 362 Riley Road in an R-3 Zone (36-1-29)

as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and/or Building Inspector and Applicant.

Dated: June 28, 2004

A handwritten signature in cursive script, reading "Michael S. Kemp", is written over a horizontal line.

Chairman

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
OFFICE
845-563-4615**

MEMORANDUM

TO: LARRY REIS, COMPTROLLER
FROM: MYRA MASON, SECRETARY TO THE ZONING BOARD
DATE: 08-09-04
SUBJECT: ESCROW REFUND 04-37

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 197.00 TO CLOSE OUT
ESCROW FOR:**

ZBA FILE #04-37

NAME & ADDRESS:

**Robert Compasso Jr.
362 Riley Road
New Windsor, NY 12553**

THANK YOU,

MYRA

L.R.08-09-04



**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
RECORD OF CHARGES & PAYMENTS**



FILE #04-37 TYPE: AREA

APPLICANT Name & Address:

Robert Compasso Jr.

362 Riley Road

New Windsor, NY 12553

TELEPHONE: 567-0521

RESIDENTIAL:	\$ 50.00	CHECK #4474
COMMERCIAL	\$ 150.00	CHECK # _____
INTERPRETATION	\$ 150.00	CHECK # _____

ESCROW: RESIDENTIAL \$300.00 CHECK #4473

~~~~~

| <u>DISBURSEMENTS:</u>        |                  | <u>MINUTES</u><br><u>\$5.50 / PAGE</u> | <u>ATTORNEY</u><br><u>FEE</u> |
|------------------------------|------------------|----------------------------------------|-------------------------------|
| PRELIMINARY:                 | <u>3</u> PAGES   | \$ <u>16.50</u>                        | \$ <u>35.00</u>               |
| 2 <sup>ND</sup> PRELIMINARY: | <u>   </u> PAGES | \$ <u>      </u>                       | \$ <u>      </u>              |
| PUBLIC HEARING:              | <u>3</u> PAGES   | \$ <u>16.50</u>                        | \$ <u>35.00</u>               |
| PUBLIC HEARING:              | <u>   </u> PAGES | \$ <u>      </u>                       | \$ <u>      </u>              |

TOTAL:                  \$ 33.00          \$ 70.00

~~~~~

ESCROW POSTED: \$ 300.00

LESS: DISBURSEMENTS: \$ 103.00

AMOUNT DUE: \$

REFUND DUE: \$ 197.00

Cc:

L.R. 08-09-04

ROBERT COMPASSO, JR. (04-37)

MR. KANE: Request for 5.3 ft. front yard setback for proposed covered front porch at 362 Riley Road.

Mr. Robert Compasso, Jr. appeared before the board for this proposal.

MR. KANE: Anybody here for this particular hearing? Okay, tell us what you want to do.

MR. COMPASSO: We want to remove the existing 5 x 5 deck and replace it with a 27 x 6 covered porch.

MR. KANE: How big is the proposed covered porch again?

MR. COMPASSO: 27 x 6, I believe it is.

MR. KANE: Going to go across the front of the house?

MR. COMPASSO: No, the house is a lot longer than it looks, you see the peak in the center, the peak that will be carried out 6 feet and there will be a porch underneath it.

MR. KANE: So just at that V coming out?

MR. COMPASSO: Right.

MR. MC DONALD: That's going to run the length of the building?

MR. COMPASSO: Just the very, it's like 27 feet long.

MR. KANE: No cutting down of trees or substantial shrubbery, vegetation?

MR. COMPASSO: No.

MR. KANE: No creation of water hazards or runoffs in

the building of it?

MR. COMPASSO: No.

MR. KANE: With the overhang for the roof on that will that make the house stick any closer to the road than other homes in your neighborhood?

MR. COMPASSO: No.

MR. KANE: Any easements to the front of the house?

MR. COMPASSO: No.

MR. MINUTA: Are there other homes that you're aware of within the neighborhood that protrude as far as what you're proposing?

MR. COMPASSO: On Riley Road if you go in any direction there's houses 6 feet from the road.

MR. MINUTA: Thank you.

MR. KANE: At this point, I will ask one more time is there anybody in the public for this meeting? No? So I'll open and close the public portion of the meeting and ask Myra how many mailings we had.

MS. MASON: On the 11th of June, I mailed out 17 envelopes and had no responses.

MR. KANE: Bring it back to the board. I have no further questions. Gentlemen?

MR. MINUTA: Accept a motion?

MR. KANE: Yes, I will.

MR. MINUTA: Make a motion that we grant Robert Compasso, Jr. his requested 5.3 foot front yard setback

June 28, 2004

36

for the proposed covered front porch at 362 Riley Road in an R-3 zone and that the overhang is not to extend passed that.

MR. REIS: Second it.

ROLL CALL

MR. RIVERA	AYE
MR. MC DONALD	AYE
MR. REIS	AYE
MR. KANE	AYE
MR. MINUTA	AYE

ROBERT COMPASSO, JR (04-37)

MR. KANE: Request for 5.3 foot front yard setback for proposed covered front porch at 362 Riley Road in an R-3 zone.

Mr. Robert Compasso appeared before the board for this proposal.

MR. KANE: Tell us what you need to do.

MR. COMPASSO: We want to remove the five foot by six foot uncovered front porch and replace it with a 6 foot by 27 foot covered front porch.

MR. KANE: With putting in the front porch not going to be cutting down any trees, I know I see the pictures but I have to ask the questions, not cutting down any trees or substantial shrubbery?

MR. COMPASSO: No.

MR. KANE: Creating any water hazards or runoffs?

MR. COMPASSO: No.

MR. KANE: Obviously without a front porch there it would be considered a safety hazard walking out your front door?

MR. COMPASSO: Probably.

MR. REIS: You're not going over any easements or right-of-ways?

MR. COMPASSO: No.

MR. KANE: With putting on the proposed covered front porch, is that going to make that front of the house come any closer to the road than other homes in your

neighborhood? It's going to extend further passed that?

MR. COMPASSO: The one on the right of me is the same, they're actually closer, apparently changed the zoning.

MR. KANE: So adding this on is not going to change the character of the neighborhood?

MR. COMPASSO: No, it's eight inches out from the existing porch.

MR. KANE: And you won't be creating any water hazards or runoffs with the building of it?

MR. COMPASSO: No.

MR. KANE: Be similar to other porches in the neighborhood in size?

MR. COMPASSO: Yes.

MR. KANE: Mike, Steve?

MR. REIS: Accept a motion?

MR. KANE: Any easements running through the front porch?

MR. COMPASSO: No.

MR. KANE: Yes, I will.

MR. REIS: I make a motion that we present Robert Compasso to a public hearing for his requested variances at 362 Riley Road.

MR. RIVERA: Second it.

ROLL CALL

MR. RIVERA	AYE
MR. REIS	AYE
MR. KANE	AYE

MR. KANE: The Town of New Windsor does hold a preliminary meeting so you can get an idea of what we need and we can see what you want to do. A lot of towns you walk in cold and you apply for that permit, if you don't have the right information and stuff, you either pass or fail right there. So what we're trying to do is give you an idea of what we need to see from you to be able to work with you to get your appeal through so when you come back for the public hearing, we're going to be doing the same things, basically asking the same thing on record cause by law in New York State, everything has to be done in a public hearing so that's why we do a preliminary first.

MR. COMPASSO: Thank you.



RESULTS OF Z.B.A. MEETING OF: June 28, 2004

PROJECT: Robt. Compasso Jr.

ZBA # 04-37
P.B.#

USE VARIANCE: NEED: EAF PROXY

LEAD AGENCY: M) _____ S) _____ VOTE: A _____ N _____
 RIVERA _____
 MCDONALD _____ CARRIED: Y _____ N _____
 REIS _____
 MINUTA _____
 KANE _____

NEGATIVE DEC: M) _____ S) _____ VOTE: A _____ N _____
RIVERA _____
MCDONALD _____ CARRIED: Y _____ N _____
REIS _____
MINUTA _____
KANE _____

PUBLIC HEARING: M) _____ S) _____ VOTE: A _____ N _____
 RIVERA _____
 MCDONALD _____ CARRIED: Y _____ N _____
 REIS _____
 MINUTA _____
 KANE _____

APPROVED: M) _____ S) _____ VOTE: A _____ N _____
 RIVERA _____
 McDONALD _____ CARRIED: Y _____ N _____
 REIS _____
 MINUTA _____
 KANE _____

ALL VARIANCES - PRELIMINARY APPEARANCE:

SCHEDULE PUBLIC HEARING: M)___ S)___ VOTE: A___ N___
 RIVERA _____
 MCDONALD _____
 REIS _____
 MINUTA _____
 KANE _____

CARRIED: Y_____ N_____

PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES ✓

VARIANCE APPROVED: M) M N S) Rs VOTE: A 5 N O.

**RIVERA
MC DONALD
REIS
MINUTA
KANE**

A
A
A
A
A

CARRIED: Y ✓ N .

[illegible]

**ZONING BOARD OF APPEALS: TOWN OF NEW WINDSOR
COUNTY OF ORANGE: STATE OF NEW YORK**

-----X

In the Matter of the Application for Variance of

ROBERT COMPASSO, JR.

AFFIDAVIT OF
SERVICE
BY MAIL

#04-37

_____ X

STATE OF NEW YORK)

) SS:

COUNTY OF ORANGE)

MYRA L. MASON, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at 67 Bethlehem Road, New Windsor, NY 12553.

That on the 11TH day of JUNE, 2004, I compared the 17 addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor's Office regarding the above application for a variance and I find that the addresses are identical to the list received. I then placed the envelopes in a U.S. Depository within the Town of New Windsor.

Sworn to before me this

Myra L. Mason
Myra L. Mason, Secretary

11th day of June, 2004

J. F. Gallagher
Notary Public

JENNIFER MEAD
Notary Public, State Of New York
No. 01ME6050024
Qualified In Orange County
Commission Expires 10/30/2006

PUBLIC HEARING NOTICE
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:

Appeal No. 04-37

Request of ROBERT COMPASSO, JR.

for a VARIANCE of the Zoning Local Law to Permit:

Request for 5.3 ft. Front Yard Setback (48-12 bulk table R-3, column 7E) for proposed covered front porch at 362 Riley Road in an R-3 Zone (36-1-29)

PUBLIC HEARING will take place on JUNE 28TH, 2004
at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York
beginning at 7:30 P.M.



Michael Kane, Chairman



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4631
Fax: (845) 563-4693

Assessors Office

May 25, 2004

Robert Compasso, Jr.
362 Riley Road
New Windsor, NY 12553

Re: 36-1-29 ZBA# 04-37

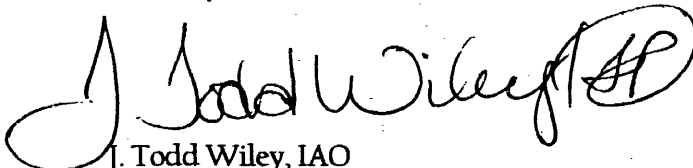
Dear Mr. Compasso:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$35.00, minus your deposit of \$25.00.

Please remit the balance of \$10.00 to the Town Clerk's Office.

Sincerely,


J. Todd Wiley, IAO
Sole Assessor

JTW/tmp
Attachments

CC: Myra Mason, Zoning Board

17

35-1-7

Andrew & Hyacinth Brathwaite
382 Riley Road
New Windsor, NY 12553

35-1-8

Stephen & Susan Hiltz
378 Riley Road
New Windsor, NY 12553

35-1-9

Steven & Patricia Caldara
372 Riley Road
New Windsor, NY 12553

35-1-10 & 36-1-2

Leonard & Catherine Vonderhyde
10 Hillington Road
New Windsor, NY 12553

35-1-79.21

Pierre Belle III
2 Belle Court
New Windsor, NY 12553

35-1-87

New York City Dept. of E.P.
Bureau of Water Supply - OWSL
465 Columbus Ave. - Suite 350
Valhalla, NY 10595

35-1-89

Christian & Bernadette Scheible
404 Riley Road
New Windsor, NY 12553

36-1-1

Mans Brothers Realty, Inc.
871 Blooming Grove Tpke.
New Windsor, NY 12553

36-1-3

Ellen Sue Sutton
106 Windsor Terrace
Salisbury Mills, NY 12577

36-1-4

Michael Tetnault & Loni Chiulli
26 Hillington Road
New Windsor, NY 12553

36-1-6 & 36-1-7

Maria Lopez & Rene Bongiorno
26 Hillington Road
New Windsor, NY 12553

36-1-8

Andrew Congelosi
9099 Central Street
Micco, Fl 32976

36-1-24

Anthony & Doreen Cascun
342 Riley Road
New Windsor, NY 12553

36-1-25

Thomas & Elaine Stimpson
346 Riley Road
New Windsor, NY 12553

36-1-26

John & Beatrice Werner
354 Riley Road
New Windsor, NY 12553

36-1-27

David & Maria Vega
356 Riley Road
New Windsor, NY 12553

36-1-28

Karen Crisci & Candice Nelson
360 Riley Road
New Windsor, NY 12553



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4695

ZONING BOARD OF APPEALS

June 11, 2004

Robert Compasso Jr.
362 Riley Road
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #04-37

Dear Mr. Compasso:

This is just to let you know your Notices for Public Hearing were mailed out and the notice was also sent to The Sentinel Newspaper for publication. **PLEASE NOTE: The Sentinel will bill you directly for this add. This is not included in the escrow you posted upon application.**

Your Public Hearing before the Zoning Board of Appeals for your requested variance at:

362 Riley Road
New Windsor, NY

is scheduled for the June 28th, 2004 agenda.

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have any questions or concerns in this matter, please feel free to contact me.

Very truly yours,

Myra Mason, Secretary
Zoning Board of Appeals

MLM:mlm

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

RECEIPT OF ESCROW RECEIVED:

DATE RECEIVED: 05-14-04

FOR: **ESCROW 04-37**

FROM: **ROBERT COMPASSO, JR.**

362 RILEY ROAD

NEW WINDSOR, NY 12553 **(567-0521)**

CHECK NUMBER: **4473**

AMOUNT: **300.00**

RECEIVED AT COMPTROLLER'S OFFICE BY:

NAME  DATE 5.18.04

PLEASE RETURN SIGNED COPY TO MYRA FOR FILING

THANK YOU

Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(845) 563-4611

RECEIPT
#480-2004

05/18/2004

Compasso, Michele *ZBA 04-36*

Received \$ 50.00 for Zoning Board Fees, on 05/18/2004. Thank you for
stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk



May 24, 2004

ZBA # 04-37
P.B.#

APPROVED: M) _____ S) _____ VOTE: A _____ N _____
 RIVERA _____
 MCDONALD _____ CARRIED: Y _____ N _____
 REIS _____
 MINUTA _____
 KANE _____

CARRIED: Y ✓ N

CARRIED: Y_____N_____.

[illegible]



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4695

ZONING BOARD OF APPEALS

May 14, 2004

Robert Compasso Jr.
362 Riley Road
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #04-37

Dear Mr. Compasso:

This letter is to inform you that you have been placed on the May 24th, 2004 agenda for the Zoning Board of Appeals to discuss your request for a variance at:

362 Riley Road
New Windsor, NY

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have a problem with this time and/or date, please contact me at the above number and we will reschedule your appearance. If you have any further questions, please feel free to contact me.

Very truly yours,

Myra Mason, Secretary
Zoning Board of Appeals

MLM:mlm

TOWN OF NEW WINDSOR

REQUEST FOR NOTIFICATION LIST

DATE: 05-14-04 PROJECT NUMBER: ZBA# 04-37 P.B. # _____

APPLICANT NAME: ROBERT COMPASSO, JR.

PERSON TO NOTIFY TO PICK UP LIST:

ROBERT COMPASSO, JR.
362 RILEY ROAD
NEW WINDSOR, NY 12553

TELEPHONE: 567-0521

TAX MAP NUMBER:	SEC. <u>36</u>	BLOCK <u>1</u>	LOT <u>29</u>
	SEC. _____	BLOCK _____	LOT _____
	SEC. _____	B LOCK _____	LOT _____

PROPERTY LOCATION: 362 RILEY ROAD
NEW WINDSOR, NY

THIS LIST IS BEING REQUESTED BY:

NEW WINDSOR PLANNING BOARD: _____

SITE PLAN OR SUBDIVISION: (ABUTTING AND ACROSS ANY STREET) _____

SPECIAL PERMIT ONLY: (ANYONE WITHIN 500 FEET) _____

AGRICULTURAL DISTRICT:
 (ANYONE WITHIN THE AG DISTRICT WHICH IS WITHIN 500'
 OF SITE PLAN OR SUBDIVISION PROJECT) _____

❖ ❖

NEW WINDSOR ZONING BOARD XXX

LIST WILL CONSIST OF ALL PROPERTY WITHIN 500 FEET OF PROJECT XXX

❖ ❖

AMOUNT OF DEPOSIT: 25.00 CHECK NUMBER: 4475

TOTAL CHARGES: _____



TOWN OF NEW WINDSOR
555 UNION AVENUE
NEW WINDSOR, NY 12553
(845) 563-4615 (MYRA MASON)

5/24



ZONING BOARD PROCEDURES

**PLEASE READ PAGE ONE AND TWO OF THIS PACKAGE AND SIGN PAGE TWO
IT EXPLAINS THE PROCEDURE TO BE FOLLOWED FOR YOUR APPLICATION.**

PLEASE COMPLETE THE ATTACHED APPLICATION FORMS WHERE IT APPLIES TO YOUR SITUATION AND RETURN TO MYRA MASON (845-563-4615) AT THE ZONING BOARD OFFICE (LOCATED IN THE PLANNING BOARD & ENGINEERING OFFICE IN TOWN HALL) WITH THREE CHECKS MADE PAYABLE TO "THE TOWN OF NEW WINDSOR" AS FOLLOWS:

RESIDENTIAL: (Three Separate Checks Please)

APPLICATION FEE:	\$ 50.00
*ESCROW:	\$300.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

MULTI-FAMILY: (Three Separate Checks Please)

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

COMMERCIAL: (Three Separate Checks Please)

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

INTERPRETATION: (Three Separate Checks Please)

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

YOU WILL THEN BE SCHEDULED FOR THE NEXT AVAILABLE AGENDA FOR YOUR "PRELIMINARY MEETING".

*

ESCROW

IS TO COVER OUTSIDE PROFESSIONAL FEES SUCH AS ZBA ATTORNEY FEE, MINUTES OF YOUR PORTION OF THE MEETING, ETC. THE BALANCE WILL BE RETURNED TO YOU UPON CLOSING FILE.

THE APPLICANT WILL BE BILLED DIRECTLY FOR THE PUBLIC HEARING ADVERTISEMENT IN THE "SENTINEL NEWSPAPER"

LIST OF PROPERTY OWNERS
WITHIN 500 FT. RADIUS OF
PROPERTY IN QUESTION:

APPROXIMATE COST FOR
PUBLIC HEARING LIST:

1-10 NAMES	25.00
11-20 NAMES	35.00
21-30 NAMES	45.00
31-40 NAMES	55.00
41-50 NAMES	65.00
51-60 NAMES	75.00
61-70 NAMES	85.00
71-80 NAMES	95.00
81-90 NAMES	105.00
91-100 NAMES	115.00

ANYTHING OVER 100 NAMES
IS \$1.00 EA. ADDITIONAL
NAME

FOLLOWING YOUR PRELIMINARY MEETING, THE ZONING BOARD SECRETARY WILL ORDER YOUR "PUBLIC HEARING LIST" FROM THE ASSESSOR'S OFFICE.

1. WHEN THE ASSESSOR'S OFFICE NOTIFIES YOU THAT YOUR LIST IS READY, YOU MUST COME IN AND PAY THE BALANCE DUE FOR THE LIST. (THIS WILL BE PREPARED ON LABELS FOR YOUR CONVENIENCE).
2. PREPARE AN ENVELOPE (*self-sealing envelopes are much appreciated*) FOR EACH LABEL WITH YOUR RETURN ADDRESS AND A REGULAR \$.37 STAMP. BRING THE PREPARED ENVELOPES AND A COPY OF THE LIST TO THE ZONING BOARD SECRETARY FOR MAILING. ***YOUR PUBLIC HEARING DATE WILL BE SCHEDULED AT THIS TIME.***

NOTE:

IF IT IS EASIER FOR YOU, YOU CAN BRING THE ENVELOPES WITH YOU WHEN YOU PICK UP AND PAY FOR YOUR LIST. YOU CAN PUT THE LABELS ON AT THAT TIME AND BRING THEM TO THE ZBA OFFICE FOR COMPLETION.

**** MUST READ AND SIGN ****

I UNDERSTAND THAT I WILL BE BILLED DIRECTLY FOR MY "LEGAL NOTICE" TO BE PUBLISHED IN THE SENTINEL NEWSPAPER FOR MY PUBLIC HEARING....(this charge is not deducted from your escrow posted)


SIGNATURE


DATE

NOTE:

THE ZBA MEETS ON THE 2ND AND 4TH MONDAY OF EACH MONTH UNLESS A HOLIDAY FALLS ON THAT DATE. (JULY AND AUGUST - ONE MEETING PER MONTH ONLY)

PAGE 2

COMPLETE THIS PAGE ☐

04-37



**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**



APPLICATION FOR VARIANCE

5/5/04
Date

Application Type: Use Variance ☐ Area Variance ☒
Sign Variance ☐ Interpretation ☐

I. **Owner Information:** Phone Number: (845) 567-0521
ROBERT L. COMPASSO JR. Fax Number: ()
(Name)
362 RILEY RD NEW WINDSOR NY 12553
(Address)

II. **Applicant:** SAME AS OWNER Phone Number: ()
(Name) Fax Number: ()

(Address)

III. **Forwarding Address, if any, for return of escrow:** Phone Number: ()
SAME AS OWNER Fax Number: ()
(Name)

(Address)

IV. **Contractor/Engineer/Architect/Surveyor/:** Phone Number ()
Fax Number: ()

(Name)

(Address)

V. **Property Information:**

Zone: R-3 Property Address in Question: 362 RILEY RD NEW WINDSOR NY
Lot Size: .4 ACRE Tax Map Number: Section 36- Block 1 Lot 29
a. What other zones lie within 500 feet? NONE
b. Is pending sale or lease subject to ZBA approval of this Application? NO
c. When was property purchased by present owner? 1991
d. Has property been subdivided previously? NO If so, When: _____
e. Has an Order to Remedy Violation been issued against the property by the
Building/Zoning/Fire Inspector? NO
f. Is there any outside storage at the property now or is any proposed? NO

****PLEASE NOTE:****

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

04-37

COMPLETE THIS PAGE ☐

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE - continued

VIII. AREA VARIANCE: (This information will be on your Building Department Denial form you receive)

Area Variance requested from New Windsor Zoning Local Law,

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area			
Min. Lot Width			
Reqd. Front Yd.	35'	29.7'	5.3'
Reqd. Side Yd.			
Reqd. Rear Yd.			
Reqd. St Front*			
Max. Bldg. Hgt.			
Min. Floor Area*			
Dev. Coverage*			
Floor Area Ration**			
Parking Area			

*Residential Districts Only

**Non-Residential Districts Only

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

04-37

COMPLETE THIS PAGE ☐

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE - continued

- IX. In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created.

After reading the above paragraph, please describe why you believe the ZBA should grant your application for an Area Variance:

THE PROPOSED PORCH WILL ENHANCED
THE THE FRONT OF MY RESIDENCE AND WILL BRING IT
INTO PROPER PROPORTION WITH THE REST OF THE
HOUSE. THE PORCH WILL NOT ENCRUACH ON ANY
NEIGHBORS AND WILL IMPROVE THE OVERALL VIEW
OF THIS AREA. WE ALSO HOPE THE NEW PORCH WILL
CUT DOWN ON THE TRAFFIC NOISE FROM THE INCREASED
TRAFFIC FLOW ON RILEY RD.

PLEASE NOTE:

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF
SUBMITTAL.**

04-37

COMPLETE THIS PAGE ☐

XII. **ADDITIONAL COMMENTS:**

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaped, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)
-
-

XIII. **ATTACHMENTS REQUIRED:**

- ☐ Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
- ☐ Copy of site plan or survey (if available) showing the size and location of the lot, buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☐ Copies of signs with dimensions and location.
- ☐ Three checks: **(each payable to the TOWN OF NEW WINDSOR)**
- ☐ One in the amount of \$ 300.00 or 500.00 (escrow)
- ☐ One in the amount of \$ 50.00 or 150.00 (application fee)
- ☐ One in the amount of \$ 25.00 (Public Hearing List Deposit)

- ☐ Photographs of existing premises from several angles. **(IF SUBMITTING DIGITAL PHOTOS PRINTED FROM COMPUTER – PLEASE SUBMIT THREE(3) SETS OF THE PHOTOS.)**

XIV. **AFFIDAVIT.**

STATE OF NEW YORK)

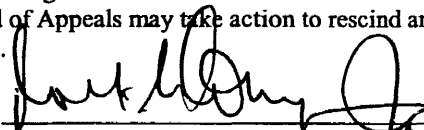
) SS.:

COUNTY OF ORANGE)

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/her information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

Sworn to before me this:

7th day of May 20 2004



Owner's Signature (Notarized) DL# 815-345-168

exp. 1-30-12



Owner's Name (Please Print)

Applicant's Signature (If not Owner)

Signature and Stamp of Notary

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

COMPLETE THIS PAGE ☐

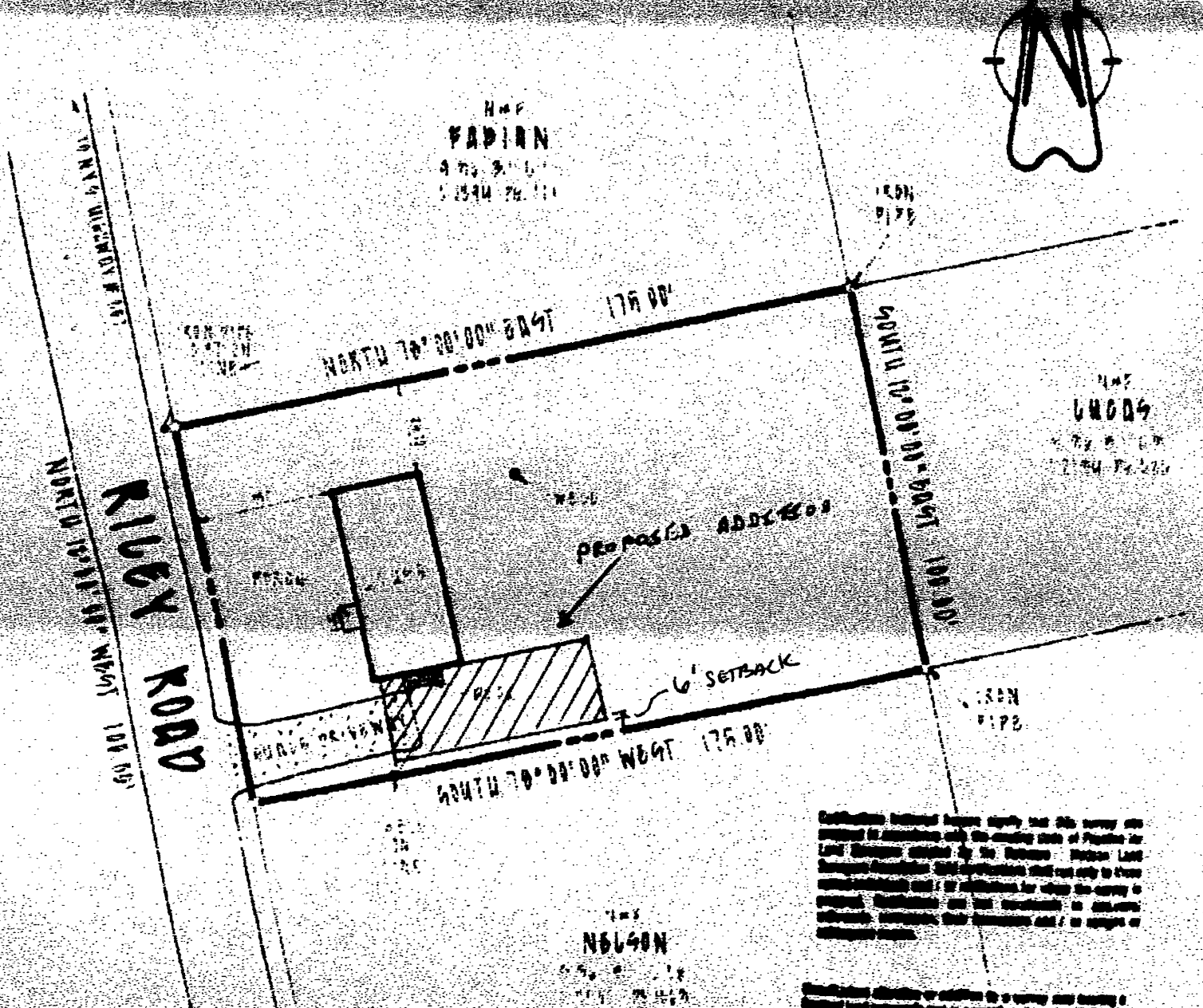
04-37

ALB: 12-70 FBET DATE: BU649T 22, 1990

1. MAG. DESIGNATION: SECTION 73 BLOCK 1 LOT 34

27 REFERENCE LIBER 2174 PAGE 457

REA: 000 ACRES



Confession: National leaders agree that the survey was prepared in accordance with the existing state of knowledge in Latin American studies at the National Science Foundation. Latin Americanists' 1984 confessions shall not only be three generations and 50 institutions for which the survey is prepared. Confessions are for individuals in various different disciplines, their professions and in support of

Investment in the U.S. economy is a key to the success of the U.S. economy. The U.S. economy is a key to the success of the U.S. economy.

04-37